



## FACT SHEET

### Running for President of the United States of America 2016 Election

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(This information pertains only to the North Carolina Ballot. You will need to contact the 49 other states for information on how to get on their primary and General Election ballot.)

#### 1) When are the elections? ([NCGS §§ 163-1\(c\), 163-213.2](#))

- **North Carolina presidential preference primary:** Starting in 2016, the date of the presidential primary will depend on whether South Carolina holds an early presidential primary.
  - **If South Carolina holds its presidential primary before March 15 of the year of the Presidential election:** The Tuesday after the first South Carolina presidential primary of the year
  - **Otherwise:** The Tuesday after the first Monday in May preceding the Presidential election — **Tuesday, May 3, 2016** (*this is when the primary is held for all other partisan offices to be elected that year*)
- **North Carolina General Election:** The Tuesday after the first Monday in November — **Tuesday, November 8, 2016**

#### 2) What are the qualifications for President of the United States? (U.S. Const. Art. II § 1)

An individual must be a natural born citizen of the United States, 35 years of age, and a resident of the United States for 14 years. Active felons who have not had their citizenship rights fully restored (full completion of any felony sentence, including probation, restitution, etc.) are not eligible to be registered to vote or to run for elected office in North Carolina.

#### 3) How can a candidate be placed on the ballot for the presidential preference primary election?

There are two ways to qualify for placement on North Carolina's presidential primary ballot: (1) Nomination by the State Board of Elections, or (2) A petition process.

The first method:

**Nomination by the State Board of Elections (names received from the state's recognized political parties) ([NCGS § 163-213.4](#))**

**§ 163-213.4. Nomination by the State Board of Elections**

No later than 90 days preceding the North Carolina presidential preference primary, the chair of each political party shall submit to the State Board of Elections a list of its presidential candidates to be placed on presidential preference primary ballot. The list must be comprised of candidates whose candidacy is generally advocated and recognized in the news media throughout the United States or in North Carolina, unless any such candidate executes and files with the chair of the political party an affidavit stating without qualification that the candidate is not and does not intend to become a candidate for nomination in the North Carolina Presidential Preference Primary Election. The State Board of Elections shall prepare and publish a list of the names of the presidential candidates submitted. The State Board of Elections shall convene in Raleigh on the first Tuesday in March preceding the presidential preference primary election. At the meeting required by this section, the State Board of Elections shall nominate as presidential primary candidates all candidates affiliated with a political party, recognized pursuant to the provisions of Article 9 of Chapter 163 of the General Statutes, who have been submitted to the State Board of Elections. Additionally, the State Board of Elections, by vote of at least three of its members in the affirmative, may nominate as a presidential primary candidate any other person affiliated with a political party that it finds is generally advocated and recognized in the news media throughout the United States or in North Carolina as candidates for the nomination by that party. Immediately upon completion of these requirements, the Board shall release to the news media all such nominees selected. Provided, however, nothing shall prohibit the partial selection of nominees prior to the meeting required by this section, if all provisions herein have been complied with.

The second, alternate method:

**Nomination by petition ([NCGS § 163-213.5](#))**

Any person seeking the endorsement by a national political party, may submit a petition signed by 10,000 qualified voters who are affiliated with the same political party as the candidate for whom the petitions are filed. (Note: North Carolina voters can only be affiliated in their voter registration with political parties that are recognized by the state). Petitions must be filed with the respective County Board of Elections offices for verification by 5:00 p.m. on the tenth day prior to when the verified petitions are due to the State Board of Elections. The signatures on the petitions must be verified by the appropriate County Board of Elections office and then filed at the State Board of Elections

office by the candidate no later than 5:00 p.m. on the Monday prior to the day the State Board of Elections meets to nominate presidential candidates as outlined in the first method.

The State Board of Elections office will notify each person that qualifies that his or her name will be printed on the ballot.

**4) How can candidates qualify to be listed as a choice on the General Election ballot other than through the presidential preference primary? ([NCGS §§ 163-1, 163-122](#))**

A candidate who seeks to have his or her name printed on the General Election ballot as an unaffiliated candidate for President can file a petition with the State Board of Elections by noon on the last Friday in June preceding the General Election, **Friday, June 24, 2016**. This petition must be signed by 2% of the total number of voters who voted in the most recent General Election for Governor [**89,366 signatures**]. No later than 5:00 p.m. on **Thursday, June 9, 2016**, the fifteenth day preceding the date petitions are due to be filed with the State Board of Elections, the petition pages must be submitted to the County Board of Elections office in the county where the signatures were gathered. Verification will be completed within two weeks from the date the petitions are presented.

**5) How can a person become a write-in candidate for President in 2016? ([NCGS § 163-123](#))**

On the General Election ballot, there will only be a write-in option for the presidential contest if at least one person qualifies and is certified as a write-in candidate for that office.

If there is a write-in space on the ballot, voters can of course write in whatever name they wish. Any and all names written in are counted. However, only a certified write-in candidate would qualify to win the election if his or her name received the most votes out of all the choices. Qualifying as a write-in candidate also means that the candidate's name will be listed in the official, final abstract of the election results that is kept by the state for official and historical purposes.

A person seeking to become a presidential write-in candidate must submit a petition signed by 500 qualified North Carolina voters. This is submitted State Board of Elections office, but first the signatures must be submitted to the respective County Board of Elections offices to be verified. Petition forms must be received by the County Board of Elections office where they were collected by 5:00 p.m. on **Tuesday, July 26, 2016**, which is 15 days before the final documentation is due to the State Board of Elections. The County Board of Elections office(s) will return the petition forms within two weeks. The verified petition forms and a declaration of intent form are due at the State Board of Elections office by 12:00 noon on the 90th day before the General Election, **Wednesday, August 10, 2016**. If the write-in candidate has complied and has timely submitted the required number of verified signatures, the candidate will be certified as a write-in candidate by the State Board of Elections.

**6) Explain North Carolina's votes in the Electoral College, and Vice Presidential selection.** ([NCGS §163-209](#); U.S. Const. Art. II § 1)

A presidential candidate must nominate presidential electors who would be authorized to cast votes in the nation's Electoral College, which is the Constitutional mechanism that officially votes the President and Vice President into office. There must be one elector from each congressional district in the state, and two from the state at-large (15 total). The candidate must file this list of electors with the North Carolina Secretary of State's office no later than 12:00 noon on the first Friday in August, **Friday, August 5, 2016**.

The candidate must also provide the name of the candidate for Vice Presidential on the presidential ticket to the State Board of Elections, no later than noon on the first Friday in August, **Friday, August 5, 2016**.

**7) What are the campaign reporting requirements?** ([NCGS §163-278.30](#); Federal Election Campaign Act of 1971, P.L. 92-225, as amended (Title 2, U.S.C. Section 439))

If you plan to be a 2016 candidate for President, you or your campaign treasurer should contact the Federal Election Commission (FEC) for filing requirements. The FEC has a toll-free phone number, 1-800-424-9530, or visit [www.fec.gov](http://www.fec.gov).